App. F. IX-4

Previous References (1930-1. Geol.)

File No. 103-30

Serial Nos. 1-2

Later References

Preserve

(15)

General and Revenue Secretariat.

Serial Nos. Two.

Part B for July 31.

SUBJECT.

Grant of Surface rights over a tract of land held by the Mysore Gold Mining Company

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D 588-92/Geol. 103-30-2 & 29/7/cq 31

The Revenue Commissioner in Mysore,
The Offg. Director of Geology
The Deputy Commissioner, Kolar District
The Chief Inspector of Mines,
The Comptroller to Govt:

Memorandum. The action taken by the Deputy Commissioner, Kolar re —

General and Revenue Secretariat

Yest. File No. 103 of 1930.

Serial No.

1 From the Offg. Director of Geology. No. 5227-2 d. 23.6.31. Forwards for information & orders a copy of an application d. 13.6.31 from the Supdt. Champion Reef Gold Mines, for the grant of surface rights over a tract of land held by The Mysore Gold Mining Co., to enable him to carry on certain drainage works & tree planting and states that, in view of the importance of the works & of the urgency to provide work to the coolies who were thrown out of employment on a/c of the recent underground fire in the Nandydroog mine, the D.C. Kolar has permitted them to put the work in hand & that his action may be approved and requests orders of Govt for future guidance as to how such applications are to be disposed of when any Mining applies for surface rights held by another Co under a mining lease.

A spare copy of the Y.O. of 17th May 1931 (re cultivation of lands included in mining leases) referred to in the Director's letter is put up for perusal.

Submitted for orders with a draft approving of the D.C.'s action.

MR. KP
25.6.31. Please put up a copy of the Mining Lease form.

Yrtd with a copy of the printed mining Rules & Forms.

MW. It has yet to be decided
1.7.31. whether such a transfer of surface
rights from the lessee to another
party is permissible under the Mining
Lease. The Law Secretary may be consulted
on this.

Yes. It seems all right, Ca 1/7
RJ
2/7/31
Ca
1/7

GENERAL SECRETARY.
2 JULY 1931
No. 30

There is nothing in the mining
lease to prevent the transfer of the
surface rights to the Champion Reef
Company Ltd, in the land held by
the Mysore Company Ltd, for the purposes
mentioned in the P.W.D. According to Cl 20
of the lease ('Flag 'N'), the previous consent
of the lessors is necessary to make
such assignment binding on the lessors.

Dep: Sec.) BNP
7.7.31

The transfer may be approved.
As regards similar applications
in future, the Board may be apprised
that as under Cl. 20 of the lease, the previous
consent of the lessors is necessary to make
such assignments, Govt. orders should be
obtained

Secy) — Ca 10/7 The D.K.S. action (para 2) & 6, 7
approved. The point raised in para 7 is not
of special importance & we may await events
(Sd) Mudaliar 12
(Sd) Mudaliar

General and Revenue Secretariat

File No. 588

Serial No. 92

Draft order submitted.
MVK
14.7.31.

For perusal before issue
17/7

Type it please
20.7

20/7

Submitted with a typed draft.
MVK
21.7.31.

(Revised draft typed)
25-7-31

(1st. member)

26
27.7.31

27/7

To The Revenue Commr., the Offg. Director of Geology, D.U. Kolar, Chief Inspector of Mines, & Comptroller. No. D.588-92 d. 29.7.31.

Approval of the action taken by the D.U. Kolar in having transferred the surface rights over a tract of land held by the Mysore Gold Mining Company to the Champion Reef Gold Mines to enable the latter to carry out certain drainage works and

Ser 103-30-1 (1) D 8214

GOVERNMENT OF MYSORE

GEN. & REV. SECRETARIAT. 24 JUNE 1931

DEVELOPMENT BRANCH.

Telegraphic Address:—"GEOL."

MYSORE GEOLOGICAL DEPARTMENT,

No. 5227-2. Ex: five

Bangalore, 22nd June 1931

FROM

A. M. SEN, ESQ., M.Sc., F.G.S., etc.,
Offg. *Director of Geology in Mysore,*
Bangalore.

To

N. RAMA RAO, ESQ., B.A., B.L.,
Secretary to Government of His Highness the
Maharaja of Mysore,
Development Departments,
Bangalore.

Sir,

I have the honour to submit for the information and orders of Government a copy of application No.527 dated 13th June 1931, from the Superintendent, Champion Reef Gold Mines of India, Ltd. for surface rights over a tract of land held by the Mysore Gold Mining Co. Ltd. to enable him to carry on certain drainage works and tree planting. In the enclosed sketch is shown the mutual boundary between the two companies and the land of the Mysore company required by the Champion Reef Company for their purposes. The two companies have come to an understanding whereby the Champion Reef Co. has been authorised to take up the surface rights subject to the condition that the land will not be utilised for the dumping ~~for~~ of cyanide slimes. Copies of the correspondence between the two companies on the matter are forwarded herewith for the information of Government.

2. In view of the importance of the works to be carried on and of urgency to provide work to coolies unemployed on account of the recent underground fire in the Nandydroog mine, the Deputy Commissioner of Kolar has already granted permission to the Champion Reef Co. to put the work on hand and to exercise

exercise the surface rights over the area in question, subject to its formal confirmation and levy of any assessment. A copy of his letter on the matter is forwarded herewith. The purpose for which the land is required is to be found on this letter in more detail.

3. Although the Mysore Gold Mining Co. has no objection to the Champion Reef Co. taking the surface rights over the land in question, it has not surrendered to Government that portion of the land and as such will be continued to be held liable to pay Government rents and cesses in respect of the land as heretofore under the lease terms.

4. The Champion Reef Co. applies to Government for the surface rights over lands held by another company; and though the case is somewhat analogous to applications for land cultivation under the ordinary darkhast rules, it is a peculiar one since the land is required for works in connection with mining operations There is no provision for such cases in the mining leases granted to these two companies.

5. Clause 24 of the Mining Lease says that the lessees will abstain from entering upon the surface of any occupied Government land or of any Inam land comprised within the mining block without previously purchasing the rights or obtaining the consent of the occupant holder or tenant of such land by an instrument in writing duly registered and if any damage or injury be caused to the surface of any such land by any operations carried on under this lease will duly compensate the occupant holder or tenant thereof for all such damage or injury." This apparently applies to the lessees holding the mining block.

6. Under the recent order of Government of 7th May 1931, the grant of surface rights over lands in mining lease areas for cultivation is a matter for disposal by the Revenue authorities. In the present case the action taken by the Deputy Commissioner may be approved as there appears to be no objection to grant the application.

7. I however request that Government may be pleased to pass necessary orders for future guidance as to how applications of this kind are to be disposed of - when one mining company applies for the surface rights over lands held by another company under a mining lease.

8. As regards the levy of assessment on the lands in respect of the surface rights granted, I leave it to the Deputy Commissioner to fix the rate and to make his recommendations to Government.

I have the honour to be,

Sir,

Your most obedient servant.

Offg. D i r e c t o r,

Mysore Geological Department.

Copy of letter No.527 dated 13th June 1931 from e Superintendent, The Champion Reef Gold Mines of India, Ltd., to the Director of Geology in Mysore, B'lor

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"I beg to apply for surface rights for a block on land on mineral lease held by the Mysore Gold Mining Company as shown in attached blue print. The land may be described as follows:-

Starting at a point 150 feet westward from Beacon K.49 for a distance of 3600 feet westward along the boundary of mining lease - a point approximately 1900 feet westward of Beacon K.48. Thence at right angles southerly for 2000 feet, thence at right angles easterly for 3600 feet, then at right angles northerly for 2000 feet to original point, 150 feet westward of Beacon K.49. Total area about 165.2 acres. The land is required for drainage works and tree planting.

I understand it is necessary to apply for this land through your department.".

Offg. Director,

C o p y of letter dated 28th April 1931 from the Superintendent ((Sd) G.L.Taylor), The Mysore Gold Mining Co. Ltd., Marikuppam to the Superintendent, Champion Reef Gold Mines of ~~India~~ India, Limited, Champion Reef.

" I have to acknowledge receipt of your letter Ref. No.592, dated the 27th instant together with blue print - the Mutual Boundary Mysore Company's Northern and Champion Reef Company's Southern.

This Company has no objection to your taking up the surface rights of the ground shown in the blue print and, although I quite understand the purpose for which it is to be acquired, I shall be obliged if you will kindly confirm the fact that the ground mentioned will not be utilised for the accommodation of any extension to your existing slime dump".

Offg. D i r e c t o r,
Mysore Geological Deptt

Copy of letter No.M. T.C. 103/30-31 dated the 15th June 1931, from the Deputy Commissioner, Kolar District to the Superintendent, The Champion Reef Gold Mines of India, Ltd., Champion Reefs, K.G.F.

" I have the honour to acknowledge receipt of your letter No.Ref.527 dated 13th June 1931 and its enclosures in the matter of the surface rights for a block of 165.2 acres of land included in the mining leases of the Champion Reef Gold Mines and Mysore Gold Mines. I note that the Superintendent, Mysore Gold Mining Company, Ltd., has in his letter dated 28th April 1931 stated that he has no objection to your taking the surface rights of the area included in his lease for the purpose mentioned in your letter. I note also that the purpose is to restore and clean out an old breached dam in the area in order to form a catchment for any tailings which in heavy rains may be carried down the Pennar valley from your Mine and also to have drains excavated to divert the surface water below this dam and that the ground will not be utilised for the accommodation of the extension to your existing slimes dump.

From the conversation I had with you on the 12th June 1931 at the Sanitary Board office, I note that this work is taken up in pursuance of my letter to you to prevent cyanide tailings from being washed into the Pennar valley and affecting the new Kamasamudram reservoir. I note also that the matter is urgent in order to provide employment, however slight, for the Nundydrug coolies who are now unemployed on account of the unfortunate fire underground there. In view of the importance of the work, namely the prevention of washing down of the tailings into the Pennar valley during the next rains and in view of the urgency of providing employment however little to Nundydroog ~~coolies~~ coolies, I hereby authorise you to put the work in hand and exercise the surface rights over the area in question subject to formal confirmation after the prescribed procedure has been followed by the Geological and Revenue Departments and the levy of any assessment to be decided upon, which will however, not exceed Rs.2/- per acre."

M2 T.C.103/30-31
15-6-1931.

Copy of the above is forwarded to the Director of Geology in Mysore, Bangalore with reference to letter Ref. No.527 dated 13th June 1931 to me from the Superintendent, Champion Reef Gold Mines of India, Limited. Further action on that reference may kindly be expedited.

(Sd) A.V. Ramanathan.
Deputy Commissioner, Kolar Dist

Copy

Hg. Director,
Mysore Geological Dept.
23.6.1931

G.R.S App. F VI G-4

SUBJECT .....

.....

.....

Diary No. of letter replied to 8218

Sec. Genl.

File No. 103–30.

Serial No.

General and Revenue Secretariat

Proceedings of the Government of His Highness the Maharaja of Mysore.

( )

the *19*

Read—

Letter No. 5227 d. 23.6.31 from the Dtlg. Director of Geology forwarding copy of an application d. 13.6.31 from the Supdt, Champion Reef Gold Mines of India, Ltd., K.G.F. for the grant of surface rights over a tract of land held by the Mysore Gold Mining Co., to enable him to carry out certain drainage works and planting of trees and

Order Thereon No.

Order No. ... dt. ...

The Officer states that the two Companies are taking that in view of the importance of the work and of the urgency to provide drainage to the mines ~~immediate~~ measures ~~should~~ be taken to employ ...

Date of issue.....

Signed by.....

May this be

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

Land came to an understanding where the Champion Reefs Co. has undertaken to take up the surface rights subject to the condition that the land will not be utilised for the dumping of Cyanide slimes &c.

ment underground fire in the
Nandydunag Mine, the Dy Comm
Kolar Dt, has authorised the Co
to put the mark in hand and ex
incise the surface rights over th
subject to its formal confirmation
a copy of minutes
area in question, and request-
ing that the action taken by
the Dy Commr may be appd
and seeks for future guidance
and further requesting orders
Govt as to the manner in whi
applications of this kind wherein
the land is required for working
connection with mining operat
where one mining Company ap
in the surface rights over lan
held by another mining Company and
a mining lease have to be dis
with.

The Govt. of State thanks the Mysore Gold Mining Co. has surrendered the said land to Govt it will continue to be liable for payment of rents taxes in respect thereof as heretofore.

The Director's action in having transferred the surface rights to the Champion Reef Gold Mining Co. is approved.

In regards similar applications in future, Govt any mining lease the Director is informed that as under cl. 20 of the mining lease the previous consent of the lessors is necessary to make such assignments, orders of Govt should be obtained in each cases.

cc 1717

To the Dy. Director of Geology in Mysore
The D. C. Kolar Dt
The Chief Inspector of Mines in Mysore
Dear Sirs to favour

Geol 103-30-2

10

Proceedings of the Government of
H.H.the Maharaja of Mysore.

....

Read-

Letter No.5227-2 dated 23rd June 1931 from the offg. Director of Geology forwarding copy of an application dated 13th June 1931 from the Superintendent, Champion Reef Gold Mines of India, Ltd., Kolar Gold Field, for the grant of surface rights over a tract of land held by the Mysore Gold Mining Company, to enable him to carry out certain drainage works and planting of trees.

Dated 29/7/31

Signed M.C.S. Narasimha,

- - - -

Order No. 10 S-88-92

Dated 29/7/31

The Director of Geology reports that by an agreement between the two companies mentioned above, the Superintendent of the - Champion Reef Gold Mines has been allowed to exercise surface rights over a tract of land held by the Mysore Gold Mining Company, Ltd., to enable ~~him~~ the former to carry on certain drainage works and tree planting. It is stated that the land in question will not be utilized for the dumping of cyanide slimes.

In view of the importance of the work to be carried out and the urgent need to provide ~~work for~~ employment to coolies ~~unemployed~~ thrown out of work on account of the recent underground fire in the Nandydroog Mines, the Deputy Commissioner of Kolar has

already granted permission to the Champion Reef Mining Company to put the work in hand and to exercise the necessary surface rights over the area in question. The Director of Geology states that the Mysore Gold Mining Company will continue to be liable for the payment of rents and cesses in respect of the lands as hitherto-fore.

In these circumstances, his recommendatio that the action taken by the Deputy Commissioner may be approved, is sanctioned.

With regard to the other general question raised by the Director, the Government do not think that there is any need to take up the same at present, ~~but~~.

25-7-31

Secretary to Government,
Development Department.

To

The Revenue Commr in Mysore.
The offg. Director of Geology in Mysore,
The Dy. Commissioner, Kolar Dist.
The Chief Inspector of Mines in Mysore,
The Comptroller to Government.

24-7-31.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

Read:--

Letter No.5227 dated 23rd June 1931 from the Officiating Director of Geology forwarding copy of an application dated 13th June 1931 from the Superintendent, Champion Reef Gold Mines of India, Ltd., Kolar Gold Field, for the grant of surface rights over a tract of land held by the Mysore Gold Mining Company, to enable him to carry out certain drainage works and planting of trees.

Order No. D 588-92/Rest 103-30-2

Bangalore, dated the 27th July 1931.

The Director of Geology reports that by an agreement between the two companies mentioned above, the Superintendent of the Champion Reef Gold Mines has been allowed to exercise surface rights over a tract of land held by the Mysore Gold Mining Company, Ltd. to enable the former to carry out certain drainage works and tree planting. It is stated that the land in question will not be utilized for the dumping of cyanide slimes.

In view of the importance of the work to be carried out and the urgent need to provide employment to coolies thrown out of work on account of the recent underground fire in the Nandydroog Mines, the Deputy Commissioner of Kolar has already granted permission to the Champion Reef Mining Company to put the work in hand and to exercise the necessary surface rights over the area in question. The Director of Geology states that the Mysore Gold Mining Company will continue to be liable for the payment of rents and cesses in respect of the lands as hitherto.

In these circumstances, his recommendation that the action taken by the Deputy Commissioner may be approved, is sanctioned.

For Secretary to Government
Development Department.

To
The Revenue Commissioner in Mysore.
The Offg. Director of Geology in Mysore.
The Deputy Commissioner, Kolar District.
The Chief Inspector of Mines in Mysore.
The Comptroller to Government.